

Document #1368 Davenport, James H. Colorado River Commission of Nevada

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February 17, 2005

Moab DEIS Comments
U.S. Department of Energy Grand Junction
2597 B ¾ Road
Grand Junction, CO 81503

RE: Comments on the *Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Draft Environmental Impact Statement*

Dear Madam or Sir:

The Colorado River Commission (CRC) has reviewed the *Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Draft Environmental Impact Statement* (DEIS) dated November 2004. That DEIS was prepared on behalf of the U.S. Department of Energy (DOE) in order to assess the potential environmental impacts of remediating the Moab uranium mill tailings site and vicinity properties.

The Colorado River Commission is an agency of the State of Nevada, created in 1935 and charged with the responsibility of securing and protecting the rights and interests of the State in waters of the Colorado River and electric power generated thereon, including distribution. The agency is the statutory trustee of the State of Nevada's interests in the Colorado River.


The integrity of the Colorado River water resource is vitally important to the more than 20 million people in the Lower Colorado River Basin states of Arizona, Nevada, and California, including the growing populations of Southern Nevada who rely on the River as the major source of their water supply. Protection of this important natural resource requires that the Moab uranium mill tailings site be cleaned up in a manner that provides absolute, long-term protection for the Colorado River.

There are numerous factors related to Colorado River water resource protection that warrant relocation of the tailings pile to a safer and more secure location. These include (without limitation): the potential for catastrophic discharge due to impoundment failure resulting from natural subsidence and periodic inundation by the Colorado River (portions of the tailings impoundment are located within the 100- and 500-year floodplains); the potential for the Colorado River to migrate and de-stabilize the pile; and the potential for continued, long-term

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discharge of elevated contaminant concentrations from groundwater emanating from beneath the pile.

Among the alternatives proposed and discussed in the DEIS, the only alternative which accomplishes this resource-protection objective is Off-Site Disposal. Among the Off-Site Disposal alternatives, the best off-site disposal location appears to be Klondike Flats utilizing rail transportation.

The Klondike Flats location is sufficiently distant (18 miles) from the Colorado River to preclude tailings pile-riparian conflict. The dry-material handling approach, enabling mixing, surface transportation, and even distribution and compaction of spoils at the new disposal site, is capable of being interrupted in the event operational problems arise. The new disposal site is capable of being designed with maximum security and safety in mind. The rail transportation approach, using sidings already constructed and serving both the Moab and Klondike Flats sites, permits separation of transportation of spoils from transportation on U.S. 191 by the general public. The Klondike Flats location does not implicate interstate traffic on I-70, as would the Crescent Junction site.

The Colorado River serves not only as a critical water supply for the Southwest, but as a paramount ecological resource as well. According to the DEIS the primary contaminant of concern with respect to water quality and impacts to the Colorado River is ammonia, specifically, its high concentrations and corresponding toxicity to aquatic organisms. Federally listed species that could potentially be adversely affected by ammonia and other contaminants include the endangered Colorado pikeminnow, razorback sucker, humpback chub, and bonytail.

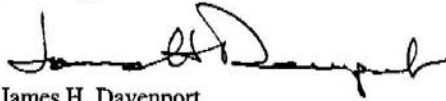
The CRC, other participating Nevada agencies, agencies from Arizona and California, and the U.S. Bureau of Reclamation have initiated a long-term, comprehensive initiative to recover endangered species and protect wildlife habitat on the Colorado River from Lake Mead to the U.S.-Mexico border. The Lower Colorado River Multi-Species Conservation Program (MSCP) is a 50-year initiative designed to create more than 8,100 acres of riparian, marsh and backwater habitat for 31 covered species at a cost of more than \$620 million. Included in the list of MSCP-covered species are the razorback sucker, humpback chub, and bonytail, three of the four endangered species listed above. Ongoing discharge of contaminated groundwater, emanating from beneath the Moab uranium mill tailings pile, to the Colorado River is presumably deleterious to them. The Department of Energy should choose an alternative that endorses and enhances the actions of Lower Colorado River Basin states and the Bureau of Reclamation, that complements the strategy of the MSCP and ensures the protection of sensitive, threatened, and endangered species of fish, wildlife, and their habitat, rather than one that operates contrary to those actions.

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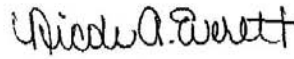
Thank you for the opportunity to review and comment on the *Remediation of the Moab Uranium Mill Tailings, Grand and San Juan Counties, Utah, Draft Environmental Impact Statement*. If you have any questions, please feel free to contact us at (702) 486-2670.

Sincerely,



James H. Davenport
Chief, Water Division
Colorado River Commission of Nevada

Sincerely,



Nicole A. Everett
Natural Resource Analyst
Colorado River Commission

NAE/jln

cc: Mr. Allen Biaggi, Director, Nevada Department of Conservation and Natural Resources
Mr. Steve Robinson, Advisor on Wildlife, Conservation and Rural Nevada Issues